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[Signature]

WEMMH SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

4002-2804

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.89(a)]

February 25, 2005  
Date

James B. Myers  
Signature

James B. Myers  
Typed or Printed Name

In re Application of

William F. MCKAY

Application Number

09/923,117

Filed

August 6, 2001

For

OSTEOGENIC PASTE COMPOSITIONS AND USES THEREOF

Art Unit

3732

Examiner

Bonderer, David A.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is [37 CFR 41.20(b)(1)]:

\$ 500

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

Registration Number: 42,021

☐ attorney or agent acting under 37 CFR 1.34.

Registration Number if  
acting under 37 CFR 1.34: \_\_\_\_\_

James B. Myers  
Signature

James B. Myers  
Type or Printed Name

(317) 634-3456  
Telephone Number

February 25, 2005  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required (see below\*).

☐ \*Total of 1 forms are submitted.

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